UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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ART UNIT	PAPER NUMBER
2142	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/863,368	VENKATRAMAN ET AL.
Office Action Summary	Examiner	Art Unit	
	Robert B. Harrell	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _13 April 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _33-157_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _33-157_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _23 May 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _20050413_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☒ Other: _see attached Office Action_.

1. Claims 33-157 are presented for examination.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. Due to the Terminal Disclaimers of record, the applicant is required to include all those Patent and Applications so mentioned in the Terminal Disclaimers, as related, within the first page(s) of the textual portion of the Specification by their corresponding identification number and to indicate, therein, the current status of the related applications (i.e., Still Pending, Now Abandoned, Now United States Patent X,XXX,XXX).

4. The applicant should use this period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, assurance of proper use for Trademarks ™, and other legal symbols ®, where required, and clarity of meaning in the Specification, Drawings, and specifically the claims (i.e., provide proper antecedent basis for "the" and "said" within each claim). Minor typographical errors could render a Patent unenforceable and so the applicant is strongly encouraged to aid in this endeavor.

5. Use of active hyperlink and/or other forms of browser executable code is improper (see MPEP 608.01) and must be removed (see page 18 as one example, all others must also be removed). The reason being many OCR softwares will automatically associate (convert) such as an active (clickable) URL. Also, due to the dynamic nature of such links, they tend to become disabled rather then not in a relatively short time compared to the life of a Patent. More so, HTML code, per MPEP 608.01, is not permitted within the textual portions of the this application.

6. The following is a quotation of the first paragraph of 35 U.S.C 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. The specification is objected to under 35 U.S.C 112, first paragraph, as failing to adequately teach how to make and/or use the invention, i.e. failing to provide an enabling disclosure for the reasons indicated infra. This is an enabling objection, not a written description objection.

8. *Claims 33-157 are rejected under 35 U.S.C. 112, first paragraph, for the reasons set forth in the objection to the specification.*

9. The grounds for objecting to specification as presented in examiner's prior action continue and are hereby incorporated in this Office Action by reference including thereto with the additional remarks indicated herein.

10. The applicant argued the objection, and rejection, each under 35 U.S.C. 112, first paragraph, by stating in substance that showing source code or hardware allowing one to control a device remotely is not required to comply with 35 U.S.C. 112, first paragraph, and that the specification must "enable any person skilled in the art" to make and use the invention. The applicants respectfully contend that "one of ordinary skill in the art" would certainly be able to practice the present claimed invention without undue experimentation based on the present specification and without an explicit recitation of source code or hardware allowing for controlling a device remotely. That is, the applicants respectfully submit that the ability to control a device remotely is well within the ability of one of ordinary skill in the art and provides two Patents as examples. However, in general, these arguments are held as self-serving without the recital of Legal Authority or Precedence. The specification fails to recite the claimed "enabled control function" of a machine/device as recited in the claims. It is the claimed "control function" that is void within this application and yet claimed. Nothing is shown that enables control from a digital domain to an analog domain native to the specific claimed machine/device. With respect to the two United States Patents, examiner cannot make comment with respect to the two United States Patents and assumes them to be fully enabled per the Law. As is noted, each United States Patents, therein, have flowcharts and corresponding text showing their enabling control functions of their inventions which could be reduced to the appropriate source/machine code. This objection, and rejection, can be overcome by a sworn statement of one, or more, persons skilled in the art demonstration that the disclosure as originally filed provides the required information to enable the invention as claimed. Such a statement would then be made of record.

11. In view of the Declarations, filed under 37 C.F.R. 1.31, all prior art rejections are removed and thus applicant's arguments to such are held moot in view of the following New Grounds of Rejections. However, page 24 of the applicant's response states that Joao is a U.S. Patent issued from a patent application filed on June 29, 1999. Such was the Patenting date not filing date which was July 18, 1996.

12. Prior to addressing the grounds of the rejections below, should this application ever be the subject of public review by third parties not so versed with the technology (i.e., access to IFW through Public PAIR (as found on **http://portal.uspto.gov/external/ portal/pair**)), this Office action will usually refer an applicant's attention to relevant and helpful elements, figures, and/or text upon which the Office action relies to support the position taken. Thus, the following citations are neither all-inclusive nor all-exclusive in nature *as the whole of each reference is/are cited* and relied upon in this action as part of the substantial evidence of record. Also, no temporal order was claimed for the acts and/or functions.

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

A person shall be entitled to a patent unless -

(e) the invention was described in — (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language;

14. Claims 33-157 are rejected under 35 U.S.C. 102 (e) as being anticipated by Huntsman (United States Patent 5,801,689).

15. Per claim 33, Hauntsman taught a mechanism for providing a web page for a device that was a copier (personal computer where known to have scanners and printers and thus a copier, as an example), comprising:
a) a web server (e.g., see figure 3 (21) and/or figure 4 (21)) that generated a web page for the copier (e.g., see Abstract and/or figures 9 and 10), wherein the web page had a URL (e.g., see col. 8 (line 1)) corresponding with the copier, and wherein the web page enabled control functions for the copier (e.g., see figure 3 and col. 5 (line 22-et seq.));
b) a network interface (e.g., see figure 3 (31) and/or figure 4 (31 "Internet")) coupled to the web server, the network interface being configured to couple to a communication path (e.g., figure 3 (31) and/or figure 4 (31)); and,
c) wherein the web server and network interface are embedded in the copier (e.g., see figure 3 and/or figure 4).

16. Per claims 34 and 35, see col. 8 (line 1-et seq.) which were clearly internal and since any URL could point to any Web Page on the Internet (figure 4 (31 "Internet")) it was anticipated to link to external Web Page(s) on the Internet as would a first Web Server point to another Web Page on another Web Server located external to the first Web Server.

17. Per claims 36, 37, 38, and 39, integration of any hardware (and/or software) into an integrated circuit chip (i.e., microcomputer chip with RAM and/or ROM memory) was an anticipated design choice (i.e., software into hardware were/are equivalent) which were state machines as all computer are basically state machines (numerous transistors each only in a single state at a time "0" or "1"). Also, HTML/HTTP (Web Port 80), functioned in a state machine(s) manner.

18. Per claim 40, see col. 6 (line 24).

19. Per claim 41, see figure 3 and/or 4 in that "computer" implies memory to hold software.

20. Per claim 42, such reads on dynamic Web Pages, specifically Web Pages that have updated status information (i.e., printer/copier low on toner/ink/paper/exc...).

21. Per claim 43, "home page" was a default Web Page on a Web Server as shown in figure 9, as an example and in cases were only one Web Page was stored on/in the Web Server, then by default, such was the "home page".

22. Per claims 44-157, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, personal computers were known to have such devices thereto attached as a peripheral device, or incorporated within the computer box, such as disk drives, video and audio (i.e., plug board cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc...), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices, either has hardware or software. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network).

23. Claims 33-157 are rejected under 35 U.S.C. 102 (e) as being anticipated by Wolff (United States Patent 6,209,048 B1).

24. Per claim 33, Wolf taught a mechanism for providing a web page for a device that was a copier (e.g., see col. 9 (line 20)), comprising:
a) a web server (e.g., see figure 2 (202)) that generated a web page for the copier (e.g., see Abstract and/or figures 4A and/or 4B), wherein the web page had a URL (e.g., see col. 8 (line 55)) corresponding with the copier, and wherein the web page enabled control functions for the copier (e.g., see col. 6 (line 35));
b) a network interface (e.g., see figure 2 (203)) coupled to the web server, the network interface being configured to couple to a communication path (e.g., figure 2 "Network"));
c) wherein the web server and network interface are embedded in the copier (e.g., see figure 2).

25. Per claims 34 and 35, see col. 8 (line 55) which were clearly internal and since any URL could point to any Web Page on the Internet (figure 2 (203 such as the "Internet")) it was anticipated to link to external Web Page(s) on the Internet as would a first Web Server point to another Web Page on another Web Server located external to the first Web Server.

26. Per claims 36, 37, 38, and 39, integration of any hardware (and/or software) into an integrated circuit chip (i.e., microcomputer chip with RAM and/or ROM memory) was an anticipated design choice (i.e., software into hardware were/are equivalent) which were state machines as all computer are basically state machines (numerous transistors each only in a single state at a time "0" or "1"). Also, HTML/HTTP (Web Port 80), functioned in a state machine(s) manner.

27. Per claim 40, see col. 5 (line 17 and 20).

28. Per claim 41, see figure 2 and col. 6 (lines 48-55) in that "software" implies memory to hold the software.

29. Per claim 42, such reads on dynamic Web Pages, specifically Web Pages that have updated status information (i.e., printer/copier low on toner/ink/paper/exc...).

30. Per claim 43, "home page" was a default Web Page on a Web Server as shown in figure 9, as an example and in cases were only one Web Page was stored on/in the Web Server, then by default, such was the "home page" and was shown in figure 4A.

31. Per claims 44-157, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, col. 5 (line 58), col. 6 (line 29 "all peripherals"), and col. 9 (line 15-et seq.), taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or, any other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network).

32.   Claims 33-157 are rejected under 35 U.S.C. 102 (e) as being anticipated by Gosling (United States Patent 6,618,754 B1).

33. Per claim 33, Gosling taught a mechanism for providing a web page for a device that was a copier (e.g., see figure 1 (110c) and col. 4 (line 3-et seq.) in that 110c could be any computerized device including a home computer that had a scanner and printer and thus a copier), comprising:
a)   a web server (e.g., see figure 1 (119a) and/or figure 6) that generated a web page for the copier (e.g., see col. 1 (line 57 "Web page"-et seq.) and/or col. 7 (line 24-et seq. "documents" and/or "files" and/or "code fragments" these made HTML type Web Pages), wherein the web page had a URL (e.g., see col. 7 (line 15-et seq.) and/or col. 12 (line 15-16 "URL")) corresponding with the copier, and wherein the web page enabled control functions for the copier (e.g., see Abstract and col. 2 (line 65-et seq.));
b)   a network interface (e.g., see figures 1 and/or 6 (Dashed Lines)) and col. 4 (line 3-et seq. "network")) coupled to the web server, the network interface being configured to couple to a communication path (e.g., col. 4 (line 12 "network"));
c)   wherein the web server and network interface are embedded in the copier (e.g., see figured 2 and/or 6).

34. Per claims 34 and 35, see col. 12 (line 16) which were clearly internal and since any URL could point to any Web Page on the Internet (figure 6 and/or col. 7 (line 24-et seq.)) it was anticipated to link to external Web Page(s) on the Internet as would a first Web Server point to another Web Page on another Web Server located external to the first Web Server.

35. Per claims 36, 37, 38, and 39, integration of any .hardware (and/or software) into an integrated circuit chip (i.e., microcomputer chip with RAM and/or ROM memory) was an anticipated design choice (i.e., software into hardware were/are equivalent) which were state machines as all computer are basically state machines (numerous transistors each only in a single state at a time "0" or "1"). Also, HTML/HTTP (Web Port 80), functioned in a state machine(s) manner.

36. Per claim 40, see col. 7 (line 66) and since ("WWW") Web protocols were shown in the applied reference in col. 7 (line 3), HTTP was anticipated.

37. Per claim 41, see figure 1 and/or 6 and col. 7 (line 50-et seq.) in that software implies memory to hold the software.

38. Per claim 42, such reads on dynamic Web Pages, specifically Web Pages that have updated status information (i.e., printer/copier low on toner/ink/paper/exc...).

39. Per claim 43, "home page" was a default Web Page on a Web Server, as an example and in cases were only one Web Page was stored on/in the Web Server, then by default, such was the "home page".

40. Per claims 44-157, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, figure 1 (110c) taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc...), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or other claimed devices pr home computer built and programmed to control internal or external devices of the type of devices claimed. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer via the remote control device. That is to say, it was known to construct (via hardware and/or software) a personal computer (for 110c) to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network) or that the device type claimed be that of 110(c) in figure 1 which did show television and VCR.

41. **The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this office action:**

a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

42. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103, examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligations under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. 102 (f) or (g) prior art under 35 U.S.C. 103.

43.   Claims 33-157 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huntsman (United States Patent 5,801,689).

44. That which was anticipated was obvious. However, while the specific computer device type was not so clearly indicated (i.e., fax, washing machine, television, exc...), personal computers were known to have there attached as a peripheral device, or incorporated within the computer box, disk drives, video and audio (i.e., cards inserted into the mother board) to receive television broadcasts, home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc...), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or other computer controlled devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer covered by Huntsman. Furthermore, it would have been obvious to those skilled in the art to implement the generalized computer remote control covered by Huntsman to any specific device containing a computer system or remote control device having the basic computer functions to control the claimed devices.

45. Per claim 33, Hauntsman taught a mechanism for providing a web page for a device that was a copier (personal computer where known to have scanners and printers and thus a copier, as an example), comprising:
a) a web server (e.g., see figure 3 (21) and/or figure 4 (21)) that generated a web page for the copier (e.g., see Abstract and/or figures 9 and 10), wherein the web page had a URL (e.g., see col. 8 (line 1)) corresponding with the copier, and wherein the web page enabled control functions for the copier (e.g., see figure 3 and col. 5 (line 22-et seq.));
b) a network interface (e.g., see figure 3 (31) and/or figure 4 (31 "Internet")) coupled to the web server, the network interface being configured to couple to a communication path (e.g., figure 3 (31) and/or figure 4 (31)); and,
c)   wherein the web server and network interface are embedded in the copier (e.g., see figure 3 and/or figure 4).

46. Per claims 34 and 35, see col. 8 (line 1-et seq.) which were clearly internal and since any URL could point to any Web Page on the Internet (figure 4 (31 "Internet")) it was anticipated to link to external Web Page(s) on the Internet as would a first Web Server point to another Web Page on another Web Server located external to the first Web Server.

47. Per claims 36, 37, 38, and 39, integration of any hardware (and/or software) into an integrated circuit chip (i.e., microcomputer chip with RAM and/or ROM memory) was an anticipated design choice (i.e., software into hardware were/are equivalent) which were state machines as all computer are basically state machines (numerous transistors each only in a single state at a time "0" or "1"). Also, HTML/HTTP (Web Port 80), functioned in a state machine(s) manner.

48. Per claim 40, see col. 6 (line 24).

49. Per claim 41, see figure 3 and/or 4 in that "computer" implies memory to hold software.

50. Per claim 42, such reads on dynamic Web Pages, specifically Web Pages that have updated status information (i.e., printer/copier low on toner/ink/paper/exc...).

51. Per claim 43, "home page" was a default Web Page on a Web Server as shown in figure 9, as an example and in cases were only one Web Page was stored on/in the Web Server, then by default, such was the "home page".

52. Per claims 44-157, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, personal computers were known to have such devices thereto attached as a peripheral device, or incorporated within the computer box, such as disk drives, video and audio (i.e., plug board cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc...), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices, either has hardware or software. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network).

53. Claims 33-157 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Wolff (United States Patent 6,209,048 B1).

54. That which was anticipated was obvious. However, col. 5 (line 58), col. 6 (line 29 "all peripherals"), and col. 9 (line 15-et seq.), taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive

television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc...), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. Furthermore, it would have been obvious to those skilled in the art to implement the generalized computer remote control covered by Wolff to any specific device containing a computer system or remote control device having the basic computer functions to control the claimed devices.

55. Per claim 33, Wolf taught a mechanism for providing a web page for a device that was a copier (e.g., see col. 9 (line 20)), comprising:
a) a web server (e.g., see figure 2 (202)) that generated a web page for the copier (e.g., see Abstract and/or figures 4A and/or 4B), wherein the web page had a URL (e.g., see col. 8 (line 55)) corresponding with the copier, and wherein the web page enabled control functions for the copier (e.g., see col. 6 (line 35));
b) a network interface (e.g., see figure 2 (203)) coupled to the web server, the network interface being configured to couple to a communication path (e.g., figure 2 "Network"));
c) wherein the web server and network interface are embedded in the copier (e.g., see figure 2).

56. Per claims 34 and 35, see col. 8 (line 55) which were clearly internal and since any URL could point to any Web Page on the Internet (figure 2 (203 such as the "Internet")) it was anticipated to link to external Web Page(s) on the Internet as would a first Web Server point to another Web Page on another Web Server located external to the first Web Server.

57. Per claims 36, 37, 38, and 39, integration of any hardware (and/or software) into an integrated circuit chip (i.e., microcomputer chip with RAM and/or ROM memory) was an anticipated design choice (i.e., software into hardware were/are equivalent) which were state machines as all computer are basically state machines (numerous transistors each only in a single state at a time "0" or "1"). Also, HTML/HTTP (Web Port 80), functioned in a state machine(s) manner.

58. Per claim 40, see col. 5 (line 17 and 20).

59. Per claim 41, see figure 2 and col. 6 (lines 48-55) in that "software" implies memory to hold the software.

60. Per claim 42, such reads on dynamic Web Pages, specifically Web Pages that have updated status information (i.e., printer/copier low on toner/ink/paper/exc...).

61. Per claim 43, "home page" was a default Web Page on a Web Server as shown in figure 9, as an example and in cases were only one Web Page was stored on/in the Web Server, then by default, such was the "home page" and was shown in figure 4A.

62. Per claims 44-157, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above. However, col. 5 (line 58), col. 6 (line 29 "all peripherals"), and col. 9 (line 15-et seq.), taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or any other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer. That is to say, it was known to construct (via hardware and/or software) a personal computer to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network).

63.   Claims 33-157 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Gosling (United States Patent 6,618,754 B1).

64. That which was anticipated was obvious. However, figure 1 (110c) taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or other claimed devices. In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer via the remote control device and thus adding such to the claimed devices would have been obvious to those skilled in the art because figure 1 (110c) suggested any computerized controlled device.

65. Per claim 33, Gosling taught a mechanism for providing a web page for a device that was a copier (e.g., see figure 1 (110c) and col. 4 (line 3-et seq.) in that 110c could be any computerized device including a home computer that had a scanner and printer and thus a copier), comprising:
a)   a web server (e.g., see figure 1 (119a) and/or figure 6) that generated a web page for the copier (e.g., see col. 1 (line 57 "Web page"-et seq.) and/or col. 7 (line 24-et seq. "documents" and/or "files" and/or "code fragments" these made HTML type Web Pages), wherein the web page had a URL (e.g., see col. 7 (line 15-et seq.) and/or col. 12 (line 15-16 "URL")) corresponding with the copier, and wherein the web page enabled control functions for the copier (e.g., see Abstract and col. 2 (line 65-et seq.));
b)   a network interface (e.g., see figures 1 and/or 6 (Dashed Lines)) and col. 4 (line 3-et seq. "network")) coupled to the web server, the network interface being configured to couple to a communication path (e.g., col. 4 (line 12 "network"));
c)   wherein the web server and network interface are embedded in the copier (e.g., see figured 2 and/or 6).

66. Per claims 34 and 35, see col. 12 (line 16) which were clearly internal and since any URL could point to any Web Page on the Internet (figure 6 and/or col. 7 (line 24-et seq.)) it was

anticipated to link to external Web Page(s) on the Internet as would a first Web Server point to another Web Page on another Web Server located external to the first Web Server.

67.   Per claims 36, 37, 38, and 39, integration of any hardware (and/or software) into an integrated circuit chip (i.e., microcomputer chip with RAM and/or ROM memory) was an anticipated design choice (i.e., software into hardware were/are equivalent) which were state machines as all computer are basically state machines (numerous transistors each only in a single state at a time "0" or "1"). Also, HTML/HTTP (Web Port 80), functioned in a state machine(s) manner.

68.   Per claim 40, see col. 7 (line 66) and since ("WWW") Web protocols were shown in the applied reference in col. 7 (line 3) , HTTP was anticipated.

69.   Per claim 41, see figure 1 and/or 6 and col. 7 (line 50-et seq.) in that software implies memory to hold the software.

70.   Per claim 42, such reads on dynamic Web Pages, specifically Web Pages that have updated status information (i.e., printer/copier low on toner/ink/paper/exc...).

71.   Per claim 43, "home page" was a default Web Page on a Web Server, as an example and in cases were only one Web Page was stored on/in the Web Server, then by default, such was the "home page".

72.   Per claims 44-157, other then the device type being remotely controlled, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above.   However, figure 1 (110c) taught any generalized peripheral device(s), such as but not limited to, disk drives, video and audio (i.e., cards inserted into the mother board to receive television broadcasts), home temperature controls, and thus thermostat, and other home appliances (i.e., refrigerators, washing machines, exc...), and also factory or lab equipments such as oscilloscope and/or spectrum analyzer, or other claimed devices pr home computer built and programmed to control internal or external devices of the type of devices claimed.   In general, each of the claimed devices were known to either be controlled by a computer or contained computers and thus could be remotely controlled as a general computer via the remote control device. That is to say, it was known to construct (via hardware and/or software) a personal computer (for 110c) to be an oscilloscope, or to control a washing machine ("smart home") or to access a device via its remote control unit (i.e., the remote control unit was connected to a network) or that the device type claimed be that of 110(c) in figure 1 which showed a television and VCR.

73.   Claims 33-157 are rejected under 35 U.S.C. 103(a) as being unpatentable over any combination of the applied references given above for the reasons given above and below.

74.   More specifically claims 33-157 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huntsman (United States Patent 5,801,689) in view of Wolff (United States Patent

6,209,048 B1); or, Huntsman (United States Patent 5,801,689) in view of Gosling (United States Patent 6,618,754 B1); or, Huntsman (United States Patent 5,801,689) in view of Wolff (United States Patent 6,209,048 B1) and further in view of Gosling (United States Patent 6,618,754 B1); or, Huntsman (United States Patent 5,801,689) in view of Gosling (United States Patent 6,618,754 B1) and further in view of Wolff (United States Patent 6,209,048 B1). OR, Wolff (United States Patent 6,209,048 B1) in view of Huntsman (United States Patent 5,801,689); or, Wolff (United States Patent 6,209,048 B1) in view of Gosling (United States Patent 6,618,754 B1); or, Wolff (United States Patent 6,209,048 B1) in view of Huntsman (United States Patent 5,801,689) and further in view of Gosling (United States Patent 6,618,754 B1); or, Wolff (United States Patent 6,209,048 B1) in view of Gosling (United States Patent 6,618,754 B1) and further in view of Huntsman (United States Patent 5,801,689); OR Gosling (United States Patent 6,618,754 B1) in view of Huntsman (United States Patent 5,801,689);or, Gosling (United States Patent 6,618,754 B1) in view of Wolff (United States Patent 6,209,048 B1); or, Gosling (United States Patent 6,618,754 B1) in view of Huntsman (United States Patent 5,801,689) and further in view of Wolff (United States Patent 6,209,048 B1); or, Gosling (United States Patent 6,618,754 B1) in view of Wolff (United States Patent 6,209,048 B1) and further in view of Huntsman (United States Patent 5,801,689) for the all reasons set forth above. The grounds being addressed herein and incorporated hereto. It would have been obvious to combine these, in the manner so indicated, since they each were directed to remotely controlling a generalized device that included an embedded web server that generated web pages to be issued to a user via HTML and HTTP with URLs such as to enable control functions of the generalized device. In essence, it would have been obvious to have an embedded web server, in a device, to generate web pages for HTML/HTTP presentation to a user who enabled control functions, via a Web Browser (locality of Browser has not been defined in the claims), that returned control function commands back to a remote controller for controlling the device.

75. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the data of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

76. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (571) 272-3895. The examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

77. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew T. Caldwell, can be reached on (571) 272-3868 . The fax phone number for all papers is (703) 872-9306.

78. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

ROBERT B. HARRELL
PRIMARY EXAMINER
Art Unit 2142